

MEMORANDUM

Agenda Item No. 11(A)(9)

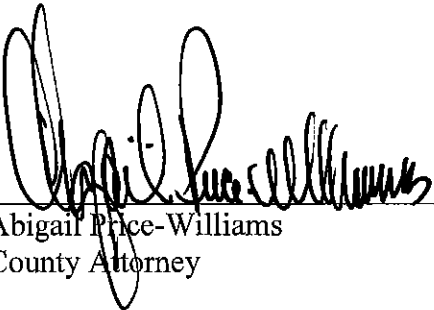
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact legislation
that would allow local Food
and Beverage Tax proceeds to
be used to fund the operation
of existing domestic violence
centers

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
7-19-16

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT LEGISLATION THAT WOULD ALLOW LOCAL
FOOD AND BEVERAGE TAX PROCEEDS TO BE USED TO
FUND THE OPERATION OF EXISTING DOMESTIC
VIOLENCE CENTERS

WHEREAS, Florida Statutes, Section 212.0306(1)(b) allows the County to collect a tax on food, beverages, and alcoholic beverages in, with some exceptions, establishments that are licensed to sell alcoholic beverages for consumption on the premises ("Food and Beverage Tax"); and

WHEREAS, Florida Statutes, Section 212.0306(3)(b) permits 15 percent of the Food and Beverage Tax to be used only for the construction and operation of new domestic violence centers ("Food and Beverage Tax Proceeds for Domestic Violence"); and

WHEREAS, the remaining 85 percent of the Food and Beverage Tax proceeds may be used for various homeless services, as described in the statute; and

WHEREAS, a number of existing domestic violence centers in the County provide emergency shelter, transition housing, and other services to domestic violence victims and are in need of funding to support their critical mission; and

WHEREAS, such existing domestic violence centers are currently ineligible to receive funding from the Food and Beverage Tax Proceeds for Domestic Violence; and

WHEREAS, existing domestic violence centers provide critical services to domestic violence victims; and

WHEREAS, this Board urges the Florida Legislature to permit the use of the Food and Beverage Tax Proceeds for Domestic Violence to fund existing domestic violence centers,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact legislation that would allow Food and Beverage Tax Proceeds for Domestic Violence to be used to fund existing domestic violence centers.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

BKN

Brenda Kuhns Neuman